

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

GREGORY B. CRAIG,

Defendant.

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Case No. 1:19-CR-00125 (ABJ)

**GOVERNMENT’S NOTICE OF COMPLETENESS OBJECTIONS
TO DEFENDANT’S EXHIBIT LIST**

Pursuant to the discussion at the hearing of August 7, 2019, the Government submits the following information in further support of its objections as to the completeness of Defendant’s proposed exhibits.

Federal Rule of Evidence 106 provides that, “If a party introduces all or part of a writing or recorded statement, any adverse party may require the introduction, at that time, of any other part—or any other writing or recorded statement—that in fairness ought to be considered at the same time.” Fed. R. Evid. 106.

The Government objects to the inclusion of Defense Exhibits 19 and 23 on the basis of completeness because the letters, as presented in standalone form, would unfairly suggest that the letters were created on the date set forth on the letter. Indeed, the Defendant lists a “date” on the exhibit list to match the date on the face of the letter; however, the letters were actually created after such dates.

- Defendant's Exhibit 19, a letter dated April 5, 2012, was not fully executed until nearly a year later, in March 2013. See Gov't Ex. 607. The letter was submitted to the FARA Unit on June 3, 2013, in connection with Skadden's *second* response to the FARA Unit's inquiry. Gov't Ex. 4.¹ The Government proposes that the letter, dated April 5, 2012, should only be presented as an attachment that fairly reflects the time of its creation, as it appears in Gov't Ex. 4 and 607.
- Defendant's Exhibit 23, a letter dated April 10, 2012, was never fully executed. Defendant emailed an unsigned draft version of the letter to Paul Manafort on May 3, 2012. Gov't Ex. 111. A version of the letter, which had been signed by Defendant, was emailed to Ukraine's Ministry of Justice on May 24, 2012. Gov't Ex. 149. The letter was submitted to the FARA Unit on February 6, 2013, in connection with Skadden's *first* response to the FARA Unit's inquiry. Gov't Ex. 2. The Government proposes that the letter, dated April 10, 2012, should only be presented as an attachment that fairly reflects the time of its creation, as it appears in Gov't Ex. 149.

The Government objects to the inclusion of Defendant's Exhibit 359 on the basis of completeness because the Disbursement Detail has been presented without reflecting a relationship to the bill (Bill No. 1458013) with which it is associated. The Government proposes that

¹ The "Scope of the Engagement" section of the letter had been revised. *Compare* Gov't Ex. 4-010 ("The Engagement involves conducting an inquiry and writing an independent report on the evidence and procedures used during the prosecution and trial of former Prime Minister Yulia Tymoshenko, applying Western standards of due process and rule of law." *with* Gov't Ex. 2-012 ("The Engagement involves serving as a rule of law consultant to the Ministry and advising the Ministry on a variety of rule of law issues, including those that may arise before the European Court for Human Rights."))

Defendant's Exhibit 359 be introduced only at the same time as the document shown at Government's Exhibit 609, which includes a reference to the bill number.

Respectfully submitted,

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Dated: August 9, 2019

Certificate of Service

I certify that, by virtue of the Court's ECF system, a copy of the foregoing Notice of Completeness Objections to Defendant's Exhibit List has been sent to counsel for the Defendant on August 9, 2019.

/s/ Fernando Campoamor-Sánchez

Fernando Campoamor-Sánchez

Assistant United States Attorney